

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

JILL MARIE FITCHEARD, )  
Plaintiff, )  
v. ) No. 3:22-CV-00638  
Defendant. ) Judge Trauger

METROPOLITAN GOVERNMENT OF )  
NASHVILLE AND DAVIDSON )  
COUNTY, )

**THE METROPOLITAN GOVERNMENT'S MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 12(b)(6), the Metropolitan Government of Nashville and Davidson County moves to dismiss all claims against it for failure to state a claim upon which relief may be granted. In support of her race discrimination and retaliation claims, Plaintiff does not offer any facts, only desired remedies and legal conclusions. As explained more fully in the contemporaneously filed memorandum of law, neither are sufficient to survive a motion to dismiss.

Respectfully submitted,

THE DEPARTMENT OF LAW OF THE  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY  
WALLACE W. DIETZ (#9949)  
DIRECTOR OF LAW

*/s/ Melissa Roberge*  
MELISSA ROBERGE (#26230)  
MALLORY RICCI (#32492)  
SENIOR COUNSEL  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing document has been served via U.S. Mail to:

Jill Marie Fitcheard  
2232 Arbor Pointe Way  
Hermitage, TN 37076

on this 22nd day of August, 2022.

/s/ Melissa Roberge  
Melissa Roberge